

## DECLARATION AND POWER OF ATTORNEY



I, a better named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

### SMALL PARTICLE COMPOSITIONS FOR INTRANASAL DRUG DELIVERY

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on May 21, 1993

Application Serial No. 08/065,676

and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

8924935.3

(NUMBER)

U.K.

(COUNTRY)

Nov. 4, 1989

(DAY/MONTH/YEAR FILED)

Priority Claimed

☒ YES

☐ NO

(NUMBER)

(COUNTRY)

(DAY/MONTH/YEAR FILED)

☐ YES

☐ NO

(NUMBER)

(COUNTRY)

(DAY/MONTH/YEAR FILED)

☐ YES

☐ NO

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

07/842,351

(APPLICATION SERIAL NO.)

Mar. 24, 1992

(FILING DATE)

pending

(STATUS) (PATENTED, PENDING, ABANDONED)

PCT/GR90/01676

(APPLICATION SERIAL NO.)

Nov. 1, 1990

(FILING DATE)

(STATUS) (PATENTED, PENDING, ABANDONED)

If more space is needed for any of the above categories, please continue on an additional form and SIGN.

I HEREBY APPOINT THE FOLLOWING AS MY ATTORNEY OR AGENT(S) WITH FULL POWER OF SUBSTITUTION TO PROSECUTE THIS APPLICATION AND TRANSACT ALL BUSINESS IN THE PATENT OFFICE CONNECTED THEREWITH:

Name	Reg. No.	Name	Reg. No.	Name	Reg. No.
Anthony M. Lorusso	<u>25,059</u>	Barbara A. Barakat	<u>32,190</u>	Scott R. Foster	<u>20,570</u>
George A. Loud	<u>25,814</u>	Anne J. Craig	<u>32,976</u>		
Arthur A. Smith, Jr.	<u>24,178</u>	Thomas M. Saunders	<u>29,585</u>		

SEND CORRESPONDENCE TO:

NAME

Lorusso & Loud

PHONE NO.

(617) 227-0700

STREET

440 Commercial Street

CITY & STATE

Boston MA

ZIP CODE

02109

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

LISTING OF APPLICANTS CONTINUED ON PAGE 2 HEREOF. ☐ YES ☐ NO

Full name of sole or first inventor Lisbeth ILLUM

Inventor's signature [Signature]

Date [Signature]

Residence 19 Cavendish Crescent North, The Park, Nottingham, NG7 1BA, England

Citizenship Denmark

Post Office Address same as above

Full name of second joint inventor, if any \_\_\_\_\_

Second Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full name of third joint inventor, if any \_\_\_\_\_

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status, as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Lisbeth Illum

TITLE OF PERSON OTHER THAN OWNER Managing Director

ADDRESS OF PERSON SIGNING 19 Cavendish Crescent North, The Park,  
Nottingham, NG7 1BA, England

SIGNATURE



Date

4 May 1993



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

☒ In re application of\*:

Serial No.: 08 / 065,676

Group No.:

Filed: May 21, 1993

Examiner:

For\*: "Small Particle Compositions For Intranasal Drug Delivery"

☐ Patent No.:

Issued:

Lisbeth Illum

\*NOTE: Insert name(s) of inventor(s) and title also for patent. Where submission is with respect to a maintenance fee payment also insert application serial number and filing date and mark Form Box M. Fee.

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

SUBMISSION OF VERIFIED STATEMENT(S) TO ESTABLISH  
SMALL ENTITY STATUS

The attached statement is being submitted to establish small entity status in this

☒ application

☐ patent

by the:

(check all applicable boxes below)

- a. ☐ independent inventor(s) 37 CFR 1.9(c) and 1.27(b)  
b. ☐ non-inventor supporting claim by author 37 CFR 1.9(c) and 1.27(b)  
c. ☒ small business concern 37 CFR 1.9(d) and 1.27(c)  
d. ☐ non-profit organization 37 CFR 1.9(e) and 1.27(d)

Reg. No. 20,570

Tel. No. ( 617 ) 227-0700

  
SIGNATURE OF ATTORNEY

Scott R. Foster

Type or print name of attorney

Lorusso & Loud

P.O. Address

440 Commercial St. Boston, MA 02109

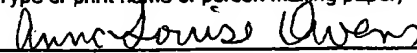
CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231

Anna-louise Owens

(Type or print name of person mailing paper)

Date: July 9, 1993



(Signature of person mailing paper)

(Submission of Verified Statement(s) To Establish Small Entity Status [7-11])



#3

**PATENT**

Attorney's Docket No. EPC-148

Applicant or Patentee: Lisbeth Illum

Serial or Patent No.: 0 8/ 065,676

Filed or Issued: May 21, 1993

For: "Small Particle Compositions For Intranasal Drug Delivery"

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(c))—SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Danbiosyst UK Limited

ADDRESS OF CONCERN 6 William Lee Building, Highfields Science Park,  
Nottingham, NG7 2RQ, England

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention, entitled

"Small Particle Compositions For Intranasal Drug Delivery"

by inventor(s) Lisbeth Illum

described in

- ☐ the specification filed herewith.  
☒ application serial no. 08 / 065,676, filed May 21, 1993.  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).